

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRENT LEE HARDING,

Plaintiff,

v.

CORRECTIONAL HEALTH SERVICES,  
et al.,

Defendants.

No. 2:21-cv-00922 KJM SCR

ORDER

Plaintiff is a state prisoner proceeding pro se in this civil rights action under 42 U.S.C. § 1983. On January 31, 2025, defendants Holt and Mencias filed separate motions for summary judgment pursuant to Federal Rule of Civil Procedure 56. (ECF Nos. 50 and 51.) On March 4, 2025, the undersigned ordered plaintiff to respond to defendants' motions and show cause for failing to do so in a timely manner. (ECF No. 54.) In his response docketed March 17, 2025, plaintiff explained that he preemptively filed a declaration before defendants moved for summary judgment and asks the court to accept it as his opposition. (ECF No. 55 at 1-2.)

For good cause shown, the court discharges the order to show cause. Plaintiff, however, did not identify the declaration he is referring to. "[A] district court is not required to comb the record to find some reason to deny a motion for summary judgment." Carmen v. San Francisco Unified Sch. Dist., 237 F.3d 1026, 1029 (9th Cir. 2001) (internal quotations omitted). Therefore,

1 the court grants plaintiff an extension of time to clarify his opposition. **Within fourteen (14)**  
2 **days of service of this order, plaintiff shall submit a response that clearly identifies the**  
3 **specific parts of the record, including any declarations, that support his assertion that a fact**  
4 **is genuinely disputed.** See Fed. R. Civ. Pro. 56(c)(1)(A). The court further advises plaintiff to  
5 review the requirements in Local Rule 260(b) for opposing a motion for summary judgment.

6 Accordingly, IT IS HEREBY ORDERED:

- 7 1. The court's order to show cause (ECF No. 54) is discharged.
- 8 2. Within fourteen (14) days of the service of this order, plaintiff shall submit a response  
9 that clearly identifies the specific parts of the record, including any declarations, that support his  
10 assertion that a fact is genuinely disputed.
- 11 3. The timeline for each defendant to file an optional reply shall not begin to run until the  
12 plaintiff responds to this order.
- 13 4. The Clerk of the Court is directed to serve a copy of the Local Rules on plaintiff.

14 DATED: March 27, 2025.

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19 SEAN C. RIORDAN  
20 UNITED STATES MAGISTRATE JUDGE  
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